United Nations A/58/PV.62

General Assembly

Fifty-eighth session

Official Records

62nd plenary meeting
Monday, 24 November 2003, 3 p.m.
New York

President: The Hon. Julian R. Hunte ..... (Saint Lucia)

In the absence of the President, Mr. van den Berg (Netherlands), (Vice-President), took the Chair.

The meeting was called to order at 10.10 a.m.

Agenda item 16 (*continued*)

Elections to fill vacancies in subsidiary organs and other elections

(a) Election of forty-three members of the United Nations Commission on International Trade Law

The Acting President: The General Assembly will elect 43 members of the United Nations Commission on International Trade Law, pursuant to resolutions 2205 (XXI) of 17 December 1966, 3108 (XXVIII) of 12 December 1973, 31/99 of 15 December 1976 and 57/20 of 19 November 2002.

The General Assembly will turn first to the election of 19 members to replace those members whose term of office expires on 13 June 2004, the last day prior to the opening of the thirty-seventh session of the Commission. The General Assembly will then proceed to the election of 24 additional members of the Commission, pursuant to resolution 57/20 of 19 November 2002.

After the election of the 24 additional members, the President of the General Assembly shall draw lots to select 13 from among the 24 additional members, whose terms of office shall expire on the last day prior to the beginning of the fortieth session of the Commission, in 2007.

The General Assembly will now proceed to the election of 19 members to replace those members whose term of office expires on 13 June 2004. The 19 outgoing members are: Austria, Burkina Faso, Colombia, Fiji, Honduras, Hungary, India, the Islamic Republic of Iran, Italy, Kenya, Lithuania, Paraguay, Romania, Spain, the Sudan, Thailand, Uganda, the United States of America and Uruguay. Those members are eligible for immediate re-election.

I should like to remind members that, as of 14 June 2004, the following States will continue to be represented on the Commission: Benin, Brazil, Cameroon, Canada, China, France, Germany, Japan, Mexico, Morocco, the Russian Federation, Rwanda, Sierra Leone, Singapore, Sweden, the former Yugoslav Republic of Macedonia and the United Kingdom of Great Britain and Northern Ireland. Those 17 States are therefore not eligible.

In accordance with rule 92 of the rules of procedure, the election shall be held by secret ballot and there shall be no nominations. I should like to recall, however, paragraph 16 of General Assembly decision 34/401, whereby the practice of dispensing with the secret ballot for elections to subsidiary organs when the number of candidates corresponds to the number of seats to be filled should become standard, unless a delegation specifically requests a vote on a given election.

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In the absence of such a request, may I take it that the Assembly decides to proceed to this election on the basis of dispensing with the secret ballot?

It was so decided.

The Acting President: I shall now read out the names of the candidates endorsed by the regional groups.

For the four seats from among the African States, the endorsed candidates are Kenya, Madagascar, Nigeria and Uganda.

For the four seats from among the Asian States, the endorsed candidates are India, Mongolia, Pakistan and Thailand.

For the three seats from among the Eastern European States, the endorsed candidates are Belarus, the Czech Republic and Serbia and Montenegro.

For the four seats from among the Latin American and Caribbean States, the endorsed candidates are Ecuador, Guatemala, Paraguay and Venezuela.

For the four seats from among the Western European and other States, the endorsed candidates are Austria, Italy, Spain and the United States of America.

Since the number of candidates endorsed by the African States, the Asian States, the Eastern European States, the Latin American and Caribbean States and the Western European and other States corresponds to the number of seats to be filled in each group, may I take it that the General Assembly wishes to declare those candidates elected for a six-year term beginning on 14 June 2004?

It was so decided.

The Acting President: I congratulate the following States, which have been elected members of the United Nations Commission on International Trade Law for a six-year term beginning on 14 June 2004: Austria, Belarus, the Czech Republic, Ecuador, Guatemala, India, Italy, Kenya, Madagascar, Mongolia, Nigeria, Pakistan, Paraguay, Serbia and Montenegro, Spain, Thailand, Uganda, the United States of America and Venezuela.

The General Assembly will now proceed to the election of 24 additional members of the United Nations Commission on International Trade Law.

Pursuant to General Assembly resolution 57/20, the additional members are to be elected according to the following pattern: five from among the African States; seven from among the Asian States; three from among the Eastern European States; four from among the Latin American and Caribbean States; and five from among the Western European and other States.

In accordance with rule 92 of the rules of procedure, the election shall be held by secret ballot and there shall be no nominations. I should like to recall, however, paragraph 16 of General Assembly decision 34/401, whereby the practice of dispensing with the secret ballot for elections to subsidiary organs when the number of candidates corresponds to the number of seats to be filled should become standard, unless a delegation specifically requests a vote on a given election.

In the absence of such a request, may I take it that the Assembly decides to proceed to this election on the basis of dispensing with the secret ballot?

It was so decided.

The Acting President: I shall now read out the names of the candidates endorsed by the regional groups.

For the five seats from among the African States, the endorsed candidates are Algeria, Gabon, South Africa, Tunisia and Zimbabwe.

For the seven seats from among the Asian States, the endorsed candidates are Fiji, the Islamic Republic of Iran, Jordan, Lebanon, Qatar, the Republic of Korea and Sri Lanka.

For the three seats from among the Eastern European States, the endorsed candidates are Croatia, Lithuania and Poland.

For the four seats from among the Latin American and Caribbean States, the endorsed candidates are Argentina, Chile, Colombia and Uruguay.

For the five seats from among the Western European and other States, the endorsed candidates are Australia, Belgium, Israel, Switzerland and Turkey.

Since the number of candidates endorsed by the African States, the Asian States, the Eastern European States, the Latin American and Caribbean States and the Western European and other States corresponds to

the number of seats to be filled in each group, may I take it that the General Assembly wishes to declare those candidates elected members of the United Nations Commission on International Trade Law?

It was so decided.

The Acting President: I congratulate the following States, which have been elected members of the United Nations Commission on International Trade Law: Algeria, Argentina, Australia, Belgium, Chile, Colombia, Croatia, Fiji, Gabon, the Islamic Republic of Iran, Israel, Jordan, Lebanon, Lithuania, Poland, Qatar, the Republic of Korea, South Africa, Sri Lanka, Switzerland, Tunisia, Turkey, Uruguay and Zimbabwe.

The General Assembly will now turn to the drawing of lots to select 13 from among the 24 additional members just elected. The terms of office of these 13 members shall expire on the last day prior to the beginning of the fortieth session of the Commission, in 2007.

Pursuant to resolution 57/20, the 13 members are to be drawn according to the following pattern: two from African States; four from Asian States; two from Eastern European States; three from Latin American and Caribbean States; and two from Western European and other States.

First I will proceed to the drawing of lots for two members from among the five additional members of the Commission from African States.

As members can see, the box is empty. The names of the five countries that will now be put into the box are: Algeria, Gabon, South Africa, Tunisia and Zimbabwe.

The Acting President drew the following two names from the box: Tunisia and South Africa.

The Acting President: Next, I will proceed to the drawing of lots for four members from among the seven additional members of the Commission from the Asian States.

As members can see, the box is empty. The names of the seven countries will now be put into the box. They are: Fiji, the Islamic Republic of Iran, Jordan, Lebanon, Qatar, the Republic of Korea and Sri Lanka.

The Acting President drew the following four names from the box: Qatar, Jordan, Republic of Korea and Sri Lanka.

The Acting President: Now, I will proceed to the drawing of lots for two members from among the three additional members of the Commission from the Eastern European States.

As members can see, the box is empty. The names of the three countries will now be put into the box. They are: Croatia, Lithuania and Poland.

The Acting President drew the following two names from the box: Croatia and Lithuania.

The Acting President: Next, I will proceed to the drawing of lots for three members from among the four additional members of the Commission from the Latin American and Caribbean States.

As members can see, the box is empty. The names of the four countries will now be put into the box. They are: Argentina, Chile, Colombia and Uruguay.

The Acting President drew the following three names from the box: Chile, Argentina and Uruguay.

The Acting President: Now I will proceed to the drawing of lots for two members from among the five additional members of the Commission from the Western European and other States.

As members can see, the box is empty. The names of the five countries will now be put into the box. They are: Australia, Belgium, Israel, Switzerland and Turkey.

The Acting President drew the following two names from the box: Belgium and Turkey.

The Acting President: Having been drawn by lots, the following 13 members of the United Nations Commission on International Trade Law will serve a term of office beginning on 14 June 2004 and ending on the last day prior to the beginning of the fortieth session of the Commission, in 2007: Argentina, Belgium, Chile, Croatia, Jordan, Lithuania, Qatar, the Republic of Korea, South Africa, Sri Lanka, Tunisia, Turkey and Uruguay.

The following 30 members of the United Nations Commission on International Trade Law have been elected for a term of office of six years, beginning on 14 June 2004: Algeria, Australia, Austria, Belarus, Colombia, the Czech Republic, Ecuador, Fiji, Gabon, Guatemala, India, the Islamic Republic of Iran, Israel, Italy, Kenya, Lebanon, Madagascar, Mongolia, Nigeria,

Pakistan, Paraguay, Poland, Serbia and Montenegro, Spain, Switzerland, Thailand, Uganda, the United States of America, Venezuela and Zimbabwe.

The Acting President: This concludes our consideration of sub-item (a) of agenda item 16.

(c) Election of seven members of the Committee for Programme and Coordination

The Acting President: Pursuant to General Assembly decision 42/450 of 17 December 1987, the Assembly elects the members of the Committee for Programme and Coordination upon their nomination by the Economic and Social Council.

The Assembly has before it document A/58/552, which contains the nominations by the Economic and Social Council to fill the vacancies in the Committee that will occur as a result of the expiration, on 31 December 2003, of the terms of office of the Bahamas, Botswana, France, Mexico, the Russian Federation, the United Republic of Tanzania and the United States of America.

Those States are eligible for immediate re-election.

I should like to remind members that, after 1 January 2004, the following States will still be members of the Committee: Argentina, Armenia, Benin, Brazil, Canada, the Central African Republic, China, Cuba, Ethiopia, Gabon, Germany, India, Indonesia, the Islamic Republic of Iran, Japan, Monaco, Nicaragua, Nigeria, Pakistan, the Republic of Korea, the Republic of Moldova, South Africa, Switzerland, Tunisia, Ukraine, the United Kingdom of Great Britain and Northern Ireland, and Uruguay.

Therefore, those 27 States are not eligible in this election.

I should now like to inform members that the following Member States have been nominated by the Economic and Social Council.

The two African States, for two vacancies, are the Comoros and Zimbabwe.

The one Eastern European State, for one vacancy, is the Russian Federation.

The two Latin American and Caribbean States, for two vacancies, are the Bahamas and Mexico.

The two Western European and other States, for two vacancies, are France and the United States of America.

In accordance with rule 92 of the rules of procedure, all elections should be held by secret ballot, and there shall be no nominations. However, I should like to recall paragraph 16 of General Assembly decision 34/401, whereby the practice of dispensing with the secret ballot for elections to subsidiary organs when the number of candidates corresponds to the number of seats to be filled should become standard, unless a delegation specifically requests a vote on a given election.

In the absence of such a request, may I take it that the Assembly decides to proceed to the election on the basis of dispensing with the secret ballot?

It was so decided.

The Acting President: Since the number of States nominated from among the four regional groups corresponds to the number of seats to be filled in each of those groups, may I therefore take it that the Assembly wishes to declare those States nominated by the Economic and Social Council from among the African States, the Eastern European States, the Latin American and Caribbean States, and the Western European and Other States — namely the Bahamas, the Comoros, France, Mexico, the Russian Federation, the United States of America and Zimbabwe — elected members of the Committee for Programme and Coordination for three-year terms of office beginning on 1 January 2004.

It was so decided.

The Acting President: I congratulate the seven States that have been elected members of the Committee for Programme and Coordination.

We have thus concluded our consideration of sub-item (c) of agenda item 16 and of agenda item 16 as a whole.

Agenda item 20 ***(continued)***

Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies

Draft resolution (A/58/L.15)

The Acting President: Members will recall that the General Assembly held the debate on this agenda item at its 57th and 59th meetings, on 5 and 10 November 2003.

In connection with this item, the Assembly has before it a draft resolution issued as document A/58/L.15.

I now give the floor to the representative of Mongolia to introduce draft resolution A/58/L.15.

Mr. Choisuren (Mongolia): My delegation has the honour to introduce, on behalf of its sponsors, draft resolution A/58/L.15, entitled "Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies".

The draft resolution has been prepared on the basis of a previous resolution adopted by the General Assembly at its fifty-sixth session in December 2001 and modified to take into account the activities undertaken by the United Nations and Member States over the past two years.

I wish also to inform the Assembly that, on 28 October, informal consultations were organized by our delegation with the draft resolution's sponsors to finalize its text.

As the Secretary-General noted in his report on this agenda item, the survey of the democratic assistance given by the United Nations system to new or restored democracies clearly demonstrates the widened scope of the Organization's involvement in promoting democratization.

The Ulaanbaatar Conference of New or Restored Democracies has also given new momentum to pursue the Organization's emerging democratization agenda. But there is still much more to be done to make the work of the United Nations system in support of democracy more integrated and effective.

Therefore, in the draft resolution, the General Assembly, while recognizing once again the important role of the United Nations in providing timely, appropriate and coherent sport to the efforts of Governments and commending the activities undertaken, encourages the Secretary-General to continue to improve the capacity of the Organization to respond effectively to the requests of the Member States.

The Secretary-General further underlines, in his concluding observations, that, although democratic government differs from country to country, a more coherent approach to democratization is certainly needed, one which requires a global dialogue on common challenges and practices of governance in the twenty-first century.

International cooperation also needs to be strengthened, along with the tools to carry out the work in that field. The Assembly debate that took place on this agenda item reaffirmed this need and underlined in that regard the importance of ensuring effective follow-up to the Fifth International Conference of New or Restored Democracies.

In operative paragraph 3, the draft resolution therefore encourages Member States, the relevant organizations of the United Nations system, other international organizations, national parliaments and non-governmental organizations to contribute actively to the follow-up and to make additional efforts to identify possible steps in support of the efforts of Governments, including those set out in the Ulaanbaatar Declaration and Plan of Action.

As His Excellency Mr. Luvsangiin Erdenechuluun, Minister for Foreign Affairs of Mongolia and President of the Fifth Conference, indicated in his statement to the General Assembly (see A/58/PV.57), the Conference presidency will place particular focus on efforts to implement the recommendations adopted by the Conference. He also shared some preliminary ideas on how to ensure more effective and efficient follow-up. In this regard, I wish to reiterate the importance my country attaches to the support and cooperation of Member States, the United Nations and other international organizations and non-governmental organizations in implementing their follow-up activities.

During the consultations on the draft resolution before us, several delegations put forward constructive ideas and proposals that further improve the text. Still, at the request of some of the sponsors, I wish to make a small revision to paragraph 3 of the draft resolution. After the words "national parliaments", the text ", including" should be added. And after the words "Inter-Parliamentary Union". the text "and other parliamentary organizations," should be added.

At the time the draft resolution was published, 84 countries were sponsors. Another 42 countries have

since joined as sponsors. They are: Antigua and Barbuda, Azerbaijan, Belize, Cape Verde, Chad, Colombia, Croatia, Djibouti, Dominica, El Salvador, Equatorial Guinea, Estonia, Ethiopia, Finland, Gabon, Georgia, Guinea, Guinea-Bissau, Guyana, Iceland, Kenya, Latvia, Lesotho, Madagascar, the Marshall Islands, Mauritania, the Federated States of Micronesia, Niger, Pakistan, the Republic of Moldova, Saint Vincent and the Grenadines, Serbia and Montenegro, Sierra Leone, Suriname, Switzerland, Turkey, Tuvalu, Ukraine, the United Arab Emirates, Uruguay, Venezuela and Zambia. This brings the total number of sponsors to 126. I hope that today many more countries will join in sponsoring the draft resolution. That would be another energetic demonstration of the international community's support for the efforts of Governments to achieve democratization in their respective countries and in the international arena as a whole.

On behalf of all of the sponsors, I express our hope that draft resolution A/58/L.15, as orally revised, will receive, as similar texts have received in the past, the unanimous support of the Assembly and will be adopted without a vote.

The Acting President: The Assembly will now take a decision on draft resolution A/58/L.15, as orally revised. Before proceeding to take action on the draft resolution, I should like to announce that since the introduction of the draft resolution the following countries have become sponsors of A/58/L.15: Nauru, Nepal and Senegal.

May I take it that the Assembly decides to adopt draft resolution A/58/L.15, as orally revised?

*Draft resolution A/58/L.15, as orally revised, was adopted (*resolution 58/13).

Mr. Muñoz (Chile): I have the honour to take the floor on behalf of the members of the convening group of the Community of Democracies, composed of the Czech Republic, India, the Republic of Korea, Mali, Mexico, Poland, Portugal, South Africa, the United States of America and, of course, my own country, Chile. Italy, Peru and Romania also associate themselves with this statement.

The Community of Democracies was launched in June 2000 at a ministerial conference in Warsaw, Poland, where more than 100 countries pledged to uphold the democratic principles outlined in the Warsaw Declaration. At its recent ministerial meeting held here during the General Assembly session, on 26 September, the convening group stressed the adherence of the Community of Democracies to the purposes and principles of the United Nations Charter, the Universal Declaration of Human Rights and fundamental principles of international law. They also emphasized the interdependence among peace, development, human rights and democracy, and reiterated the commitment of the Community of Democracies to the continued development of democracy at the national, regional and global levels. Furthermore, the members of the convening group recalled the Warsaw Declaration commitment that the Community of Democracies will collaborate on democracy-related issues in existing international and regional institutions.

It is on the basis of the aforementioned that the convening group of the caucus of democracies supported the draft resolution in document A/58/L.15, entitled "Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies" and introduced by Mongolia, as an important contribution to our common purpose.

We look forward to collaborating with all interested States that share our values and our dedication to the promotion of democracy, and with the Secretariat, in the implementation of this resolution.

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 20?

It was so decided.

The meeting rose at 10.50 a.m.